

03 TE/T

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

X Index No.: 07 CIV 5928 (DLC)

CARLOS AUGUSTO LOPES,

Plaintiff,

Stipulation of Disconti-  
nuance with Prejudice

-against-

MELLON INVESTOR SERVICES LLC, JP MORGAN  
CHASE & CO., WACHOVIA CORPORATION,  
WACHOVIA BANK, N.A., WACHOVIA/FIRST  
UNION BANK, HELENA BUSHROE, JOHN DOE  
AND JANE ROE,

Defendants.

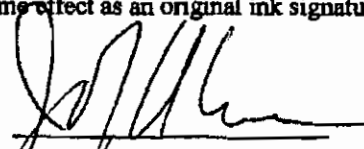
USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 6/24/08

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for all the parties to the above entitled action, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above entitled action be, and the same hereby is discontinued, with prejudice and without costs to either party as against the other. This stipulation may be filed with the Court without further notice. This agreement may be signed in counterparts and a facsimile or image signature will have the same effect as an original ink signature.

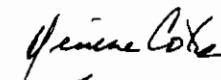
Dated: May 30, 2008

Gerald E. Ross

Gerald E. Ross (GR0534)  
FRYER & ROSS LLP  
Attorneys for Plaintiff  
551 Fifth Avenue, Suite 1922  
New York, New York 10176  
(212) 286-0099

  
John A. Nocera (JN3399)  
John P. Foudy (JF7322)  
Rosner Nocera & Ragone LLP  
Att'ys for Def't Wachovia Bank, N.A.  
110 Wall Street, 23<sup>rd</sup> floor  
New York, New York 10005  
(212) 635-2244

So ordered.

  
June 24, 2008